

### REMARKS

Reconsideration and withdrawal of all grounds of rejection, and allowance of the pending claims are respectfully requested in light of the amendments and remarks made herein. Claims 1-6 are pending. Claims 7-8 have been cancelled without prejudice.

Claims 1-4 and 8 stand rejected under 35 U.S.C. §101 for being directed towards non-statutory subject matter. (See 2/23/09 Office Action, pp. 3-4). Specifically, the Examiner asserts that a method/process claim must be tied to another statutory class of invention e.g. to a particular machine or apparatus (See *In re Bilski*, 545 F.3d 943, 88 USPQ2d 1385 (Fed. Cir 2008). Claim 1 is currently amended to recite "...said method comprising the steps of: *by a filtering processor*, searching in said semantic description for the characterizing data that match said user specification to identify matching elementary units...." The amendments recite a processor that is supported by at least page 11, lines 13-14 of the Specification. Amended independent claim 4 recites similar limitations. Accordingly, claims 1 and 4 are tied to another statutory class, namely, a processor. Thus, Applicants respectfully submit that the rejection of claims 1 and 4 should be withdrawn. As claims 2-3 depend from, and therefore include all the limitations of claim 1, it is hereby submitted that these claims are also allowable. Claim 8 has been cancelled, thus the rejection is moot.

Claims 1 and 4-8 stand rejected under 35 USC 102(e) as being anticipated by Zenoni (U.S. Publication 2002/0131511 A1). Applicants respectfully disagree.

Claim 1 recites the limitations of “searching in said semantic description for the characterizing data that match said user specification to identify matching elementary units, deriving time positions for said matching elementary units from said second timing data, using said first timing data to locate in said syntactical description the elements corresponding to said time positions, generating a filtered syntactical description in which the located elements are removed, generating a filtered bitstream from said filtered syntactical description.” Zenoni fails to show, teach or imply these limitation. Although, Zenoni may teach searching using encoded filter data tags and markers (e.g. semantic descriptions and time tags, Paragraphs [0038] & [0044], respectively), applicants can find nothing in Zenoni that teaches a method in which a first result (in the time domain) is obtained based on a semantic description of the bitstream, and in which a second result is subsequently obtained based on the first result and on a syntactical description of the same bitstream. Independent claim 4-6 recite similar limitations.

More precisely, claim 1 recites the use of:

- a syntactical description comprising elements and containing first timing data,
- a semantic description comprising second timing data and characterizing data, and
- a user specification.

The search is performed first in the semantic description, from the user specification and the characterizing data. Time positions are derived from a result of the search, thus allowing retrieving the corresponding elements using the syntactical

description. The retrieved elements are removed so as to generate a filtered syntactical description. A filtered bitstream is generated from the filtered syntactical description.

Claim 1 recites using several descriptions of a same bitstream one after the other, that is, more than a juxtaposition of the features of a semantic description and of a syntactical description. The present invention uses a two-level solution, and Zenoni neither discloses the syntactical description of the bitstream, nor discloses how to combine the two kinds of description.

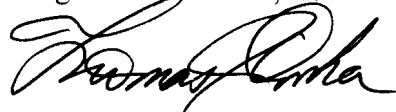
Accordingly, at least for these reasons, independent claims 1 and 4-6 are believed to be patentable over Zenoni.

Claims 2-3 stand rejected under 35 USC 103(a) as being unpatentable over Zenoni in view of Pfeiffer (“TV Anytime as an Application Scenario for MPEG-7”). With regard to claims 2-3 these claims depend from the independent claim discussed above, which have been shown to be allowable in view of the cited reference. Accordingly, each of claims 2-3 are also allowable by virtue of its dependence from an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Dan Piotrowski  
Registration No. 42,079



Date: May 21, 2009

By: Thomas J. Onka  
Attorney for Applicant  
Registration No. 42,053

**Mail all correspondence to:**

Dan Piotrowski, Registration No. 42,079  
US PHILIPS CORPORATION  
P.O. Box 3001  
Briarcliff Manor, NY 10510-8001  
Phone: (914) 333-9624  
Fax: (914) 332-0615